

2016 Regular Session

HOUSE BILL NO. 1076

BY REPRESENTATIVE GREGORY MILLER

JUVENILES/DELINQUENTS: Provides relative to notifications to school administrators of certain delinquency records

1 AN ACT

2 To enact Children's Code Article 412.2, relative to delinquency records; to make records of
3 delinquency available to the superintendent where a child is enrolled in school; to
4 provide for the use of the records for certain purposes; and to provide for related
5 matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. Children's Code Article 412.2 is hereby enacted to read as follows:

8 Art. 412.2. Delinquent acts; availability of records to school superintendents

9 A. Notwithstanding the provisions of Article 412 of this Code or any other
10 provision of law to the contrary, an arrest record of a child taken into custody
11 pursuant to the provisions of Title VIII of the Louisiana Children's Code for the
12 commission of a felony grade delinquent act as well as the adjudication of that child
13 shall be submitted by the court to the superintendent of the school where that child
14 is enrolled.

15 B. The juvenile record shall include the identity of the child, the cause of the
16 arrest, and the adjudication of that child. The information shall not be a public
17 record and shall be kept separate from the official school record of that child. The
18 information shall be used solely by the appropriate school officials whom the school
19 has determined to have legitimate educational or safety interests in the child, other
20 students, and employees of the school.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 1076 Original

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Gregory Miller

Abstract: Provides that certain juvenile records be made available to the school superintendent.

Present law provides for proceedings, records, and reports before juvenile courts to be confidential, except for certain delinquency proceedings, child support proceedings, traffic violations in East Baton Rouge Parish, and certain misdemeanor trials of adults.

Proposed law retains present law and provides that the existence of a juvenile record involving a delinquent act shall be made accessible to the superintendent where the juvenile is enrolled in school.

Proposed law further provides that the juvenile record shall not be a public record and shall not be a part of the child's official school record.

(Adds Ch.C. Art. 412.2)